

### **REMARKS**

Initially, the applicant's attorney would like to thank the Examiner for his time in reviewing a draft Amendment and discussing the draft Amendment with the undersigned attorney during a telephone conference on September 14, 2005. The present Amendment incorporates the discussions with the Examiner during the telephone conference.

In the Office Action mailed May 16, 2005, the Examiner initially indicated that claim 31 was allowable. The applicant hereby acknowledges and appreciates such finding by the Examiner.

In the Office Action, the Examiner indicated that claims 1-5, 7, 8 and 10-17 would be allowable if the applicant changed the term "by" in claim 1 to the term "via" and overcame the 35 USC §112, second paragraph, rejection for claims 8 and 11-13. By the present Amendment, claim 1 has been amended to incorporate the term "via" such that claims 1-5, 7, 10 and 14-17 are in condition for allowance. Additionally, claims 8 and 12-13 have been cancelled and claim 11 amended to overcome the §112, second paragraph, rejection made by the Examiner in the Office Action. Thus, claims 1-5, 7, 10-11 and 14-17 are believed to be in condition for allowance.

In the Office Action, the Examiner rejected claims 8, 11-13 and 18-27 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Claims 18-27 were deemed allowable if amended to overcome the §112 rejection.

In response to the rejection, claims 8 and 12-13 have been cancelled from the present application.

Claim 11 has been amended such that the term "external contact" has been revised to refer to a "electrical contact" which is clearly supported by independent claim 1. Thus, the applicant has addressed the §112, second paragraph, rejections made by the Examiner with respect to claims 8 and 11-13.

In the Office Action, the Examiner rejected claims 18-27 under §112, second paragraph. Specifically, the Examiner objected to the language in independent claim 18 relating to the use of the term "electrolyte" in the claim. By the present Amendment, claim 18 has been amended to more clearly state that the wick is arranged to contact both the liquid electrolyte and the electrode and that the "conductive material" can be introduced by the wick. It is the applicant's belief that the use of "conductive material" in claim 18 as the material between the electrode and the

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electrical contact is proper. Further, dependent claim 24 further defines the conductive material as a conductive polymer as suggested by the Examiner. It is believed that the amendments to claim 18 overcome the §112, second paragraph, rejections made by the Examiner in the Office Action. Further, the applicant has allowed the "external connection" to remain in the case based on comments made by the Examiner in the telephone conference of September 14, 2005.

Conclusion

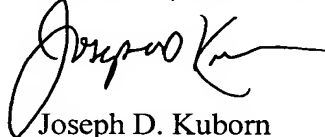
By the present response, independent claims 1 and 18 have been amended based upon the Examiner's suggestion to overcome the §112, second paragraph, rejections. Further, dependent claims 8, 12 and 13 have been cancelled, thus rendering the §112, second paragraph, rejections made by the Examiner moot.

Based upon the amendments, claims 1-5, 7, 10-11, 14-17, 18-27 and 31 remain in the application. In the outstanding Office Action, the Examiner indicated that all of the currently pending claims were allowable following the amendments made by the applicant in this response. Therefore, all of the claims currently in the application are believed to be in condition for allowance based upon comments made by the Examiner in the outstanding Office Action.

The Examiner is invited to contact the applicant's undersigned attorney with any questions or comments, or to otherwise facilitate prosecution of the present application.

Respectfully submitted,

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